

REGULATIONS UNDER THE MISSISSIPPI AGRICULTURAL LIMING MATERIALS ACT OF 1993

REGULATION 1 – NEUTRALIZING AND SCREENING STANDARDS FOR AGRICULTURAL LIMING MATERIALS.

(1) All agricultural liming materials, except marl, offered for sale, sold, or distributed in this state shall have clearly stated in the guarantee, the actual Relative Neutralizing Value (RNV). RNV is an expression of aglime effectiveness based on the combined effect of Calcium Carbonate Equivalent (CCE) and fineness of grind. The RNV is determined by multiplying CCE by a set of factors based on the particle size of the agricultural liming material. The minimum RNV allowed for sale in Mississippi shall be 63%.

Particle Size	% Effectiveness of aglime material
Larger than 10 mesh	0
Between 10 and 50 mesh	50
Less than 50 mesh	100

Computation of Percent Relative Neutralizing Value

$$\% \text{ RNV} = \% \text{ CCE} \times \frac{(\% \text{ passing 10 mesh} + \% \text{ passing a 50 mesh})}{2}$$

The RNV of 63% is derived by the following formula. For example, an agricultural liming material with a CCE of 90% with 90% of the material passing a 10 mesh screen and 50% passing a 50 mesh screen would calculate as follows:

$$\% \text{ RNV} = .90 \frac{(90 + 50)}{2} = .90 \frac{(140)}{2} = .90 (70) = 63\%$$

The actual RNV of the agricultural liming material must be shown prominently on the front face of the label, sales invoice, delivery ticket or bulk ticket.

(2) Marl offered for sale, sold, or distributed in this state as an agricultural liming material shall have a CCE of not less than 70% and be processed to such a degree of fineness that not less than 90% of the material will pass a 10 mesh screen.

(3) When an agricultural liming material is mixed with enough water to be applied as a spray and is offered for sale, sold, or distributed in this state, 100% of the material shall pass a 100 mesh screen.

REGULATION 2 – NEUTRALIZING VALUE REQUIREMENTS OF OTHER AGRICULTURAL LIMING MATERIALS.

(1) Burnt lime, hydrated lime, and industrial by-products sold as agricultural liming material shall have a CCE of not less than that guaranteed on the label of the product, expressed on a dry weight basis.

(2) An agricultural liming material of 100 mesh fineness when mixed with enough water for application as a spray shall have a CCE of 44% or greater on a net weight basis.

Regulation 3 – Penalties for Deficiencies in Screening, Neutralizing Values, and Guarantees

If any agricultural liming material sold in this State shall upon official analysis prove to be deficient in meeting the RNV guarantee, as stated on the label, sales invoice, delivery ticket or bulk ticket, the penalties, as hereinafter provided, shall be assessed against the packer or manufacturer. The penalties for such deficiencies shall be as follows:

(1) For marl deficient from the minimum calcium carbonate equivalent on the labeling, the penalty shall be \$.20 (twenty cents) per ton for each percentage point below the label guarantee with a tolerance of 5%. If the deficiency exceeds the 5% tolerance, then the \$.20 (twenty cents) per ton penalty shall be assessed upon the total deficiency.

(2) For marl deficient in material passing a 10 mesh screen, the penalty shall be \$.20 (twenty cents) per ton for each percentage point below the label guarantee.

(3) For an agricultural liming material deficient in RNV, the penalty shall be \$1.00 per ton for each RNV unit below the label guaranteed RNV. For agricultural liming material with a guaranteed RNV between 63 and 67, there will be a tolerance of 3 RNV units. For agricultural liming material with a guaranteed RNV of 68 or greater, there will be a tolerance of 5 RNV units. If the RNV deficiency exceeds the tolerance, then \$1.00 per RNV unit of deficiency shall be assessed upon the total deficiency. If the RNV is 60 or lower, then the agricultural liming material will be placed on stop sale and cannot be sold in Mississippi.

(4) For an agricultural liming material that is mixed with enough water for application as a spray and is deficient in passing a 100 mesh screen, the penalty shall be \$.20 (twenty cents) per ton of solution for each percentage point below the label guarantee. For deficiency in required neutralizing value, the penalty shall be \$.20 (twenty cents) per ton of solution for each percentage point below the label guarantee.

(5) For agricultural liming material deficient in the guaranteed magnesium, available phosphorus (P_2O_5), soluble potassium (K_2O), or other elements guaranteed by the label, the penalty shall be \$.50 (fifty cents) per ton for each 10% deficiency from the label guarantee.

(6) When the maximum moisture content exceeds the label guarantee a penalty of \$.50 (fifty cents) per percentage point per ton shall be assessed.

Regulation 4 – PAYMENT OF PENALTIES

Penalties assessed under terms of Regulation No. 3 shall be paid to the Commissioner within thirty days from the date such penalty shall have been assessed. Penalties which are not paid as herein required shall be considered delinquent and an

additional penalty of ten percent (10%) of the amount of the balance due shall be added to the assessed penalty for each month such penalty continues to be delinquent.

REGULATION 5 – ADULTERATED LIMING MATERIAL

An agricultural liming material shall be deemed to be adulterated when it contains foreign material including but not limited to the following:

(1) If it bears or contains gravel, soil, sticks, wire, nails, stones and/or metal mechanical parts.

(2) If it contains any material that has been declared to be unsafe for use on agricultural lands used for crop or livestock production by the Mississippi Department of Environmental Quality, the Mississippi Department of Health, the U.S. Environmental Protection Agency or any other state or federal agency which may be vested with responsibility for such determinations.

(3) Any material or substance which lowers the RNV of the agricultural liming material.

REGULATION 6 – INDUSTRIAL BY-PRODUCTS

Agricultural liming materials, including but not limited to “Industrial By-Product” waste liming material, which have been declared to be toxic and/or unsafe by the Mississippi Department of Environmental Quality, the Mississippi Department of Health and the U.S. Environmental Protection Agency shall not be sold, offered for sale or given away for use on agricultural land or public contact sites in this state; except as may be approved for controlled or limited applications by such regulating agencies or other regulating agencies having regulatory jurisdiction in such matters on a case by case basis.

Such agricultural liming materials that have been declared safe for use on agricultural land and public contact sites may be approved for permitting by the Commissioner. Documented approval of the safety of such agricultural liming materials by the responsible regulating agency (ies) shall be furnished by the applicant to the Commissioner annually at the time of product registration.

The Commissioner shall not issue a manufacturer or distributor’s permit for the sale or distribution of any “Industrial By-Product” waste liming material which has been permitted and approved for restricted use by the Mississippi Department of Environmental Quality, the Mississippi Department of Health or the U.S. Environmental Protection Agency.

REGULATION 7 – REGISTRATION

Each brand and separately identified liming material shall be registered on or before July 1 of each year. All agricultural liming material registrations will expire on June 30 of the next year.

REGULATION 8 – OFFICIAL SAMPLES; DISTRIBUTION OF REPORTS; AVAILABILITY OF PORTIONS OF OFFICIAL SAMPLES

The results of all analyses of official samples shall be forwarded by the State Chemist to the person named on the label and to the purchaser. A sub-portion of the retained official sample on any lime product found to be deficient by the State Chemist

may be obtained by the guarantor for analysis in his own or commercial laboratories upon written request to the Commissioner. Requests for such sub-samples will be honored only if they are made within 30 days of reporting the lime analysis from the State Chemist's office. Such laboratory determinations shall not alter in any way the results of laboratory tests by the State Chemist or penalties assessed by the Commissioner, except as may be standard procedure for such laboratory testing by the State Chemist.